

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Swon, et al.

Serial No.: *To be assigned*

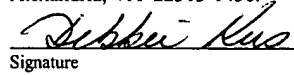
Filed: April 22, 2004

For: APPARATUS AND METHOD FOR
AGITATING A SAMPLE DURING IN
VITRO TESTING

Examiner: *To be assigned*

Art Unit: *To be assigned*

I, Debbie Kus, hereby certify that on April 22, 2004 this correspondence is being deposited with the United States Postal Service as Express Mail, No. EL 975 716 292 US in an envelope addressed to the Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the Applicants duty of disclosure under 37 CFR §1.56 and further in accordance with the provisions of 37 CFR §1.97 and 1.98, the Examiner is requested to consider and cite the references listed on the enclosed form.

The filing of an Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be prior art or material to patentability as defined by §1.56.

A copy of the non-patent literature is enclosed for the Examiner's convenience.

Consideration and citation of the references are respectfully requested and deemed in order.

Respectfully submitted,



Bella Fishman
Agent for Applicants
Registration No. 37,485

Date: April 22, 2004

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Substitute for form 1449/PTO <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p><i>(Use as many sheets as necessary)</i></p>		Complete if Known	
		Application Number	
		Filing Date	April 22, 2004
		First Named Inventor	James E. Swon
		Art Unit	
		Examiner Name	
Sheet 1	of 2	Attorney Docket Number	04-02 US

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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		Application Number	
		Filing Date	April 22, 2004
		First Named Inventor	James E. Swon
		Art Unit	
		Examiner Name	
Sheet 2	of 2	Attorney Docket Number	04-02 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	3	United States Pharmacopoeia, Vol. 24, Ch. 711, pp. 1941-1944 & Ch. 724, pp. 1941-1951 (1998).	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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